

0512

**Hurley, Peggy**

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**From:** Hutkowski, Hariah  
**Sent:** Thursday, December 08, 2005 1:27 PM  
**To:** Hurley, Peggy  
**Subject:** FW: Driving School Bill Draft update LRB 0512/P3

Peggy,

Here is the last change to our draft (we hope so anyway) before introduction on LRB 0512/P3.

Thanks,

Hariah Hutkowski  
*Legislative Assistant*  
**Rep. Petrowski**  
**86th Assembly District**  
1-608-266-1182  
or 1-888-534-0086

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**From:** Becky [mailto:bengebretson@new.rr.com]  
**Sent:** Thursday, December 08, 2005 1:12 PM  
**To:** Hutkowski, Hariah  
**Subject:** Re: Driving School Bill Draft update

Hariah,

The WPDSA has no problems with the D.O.T. comments on the draft. The D.O.T. can have the "as provided by rule" added to the draft. It really should have been in it. If they want to change "commercial schools" to "driver schools" to be consistent with the remainder of the draft, that is fine.

Thanks for all your help.

Kris Engebretson  
WPDSA Communications Director

----- Original Message -----

**From:** Hutkowski, Hariah  
**To:** Becky  
**Sent:** Thursday, December 08, 2005 1:03 PM  
**Subject:** FW: Driving School Bill Draft update

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**From:** Egan, Erin  
**Sent:** Monday, December 05, 2005 3:26 PM  
**To:** Hutkowski, Hariah  
**Subject:** RE: Driving School Bill Draft update

12/08/2005

Hello Hariah,

Thank you for allowing us to review this draft. It is very good, and we only have 2 minor comments.

1. Section 27, line 8: this allows schools to administer knowledge tests to their instructor applicants. We're okay with this provision, but would like to put a few restrictions on this, ie, sole proprietors cannot test themselves, schools must be administering knowledge tests to students, schools must maintain pass/fail records and notify DMV if an instructor passes. We can cover these restrictions in rule, but need to add "as provided by rule" somewhere in this section. ✓

2. Section 69, line 12: change "commercial schools" to "driver schools" to be consistent with the remainder of the draft.

Thanks again for your help on this. Let me know if you have questions.

Erin Egan  
Legislative Liaison  
Division of Motor Vehicles  
(608) 266-1449

-----Original Message-----

**From:** Hutkowski, Hariah [mailto:Hariah.Hutkowski@legis.state.wi.us]  
**Sent:** Tuesday, November 29, 2005 2:30 PM  
**To:** Egan, Erin; Becky; Wolddrschinc@yahoo.com  
**Subject:** RE: Driving School Bill Draft update

Sorry, I attached the wrong one. Here's the right draft. << File: 05-0512P3.pdf >>

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**From:** Hutkowski, Hariah  
**Sent:** Tuesday, November 29, 2005 12:53 PM  
**To:** Egan, Erin; 'Becky'; 'Wolddrschinc@yahoo.com'  
**Subject:** Driving School Bill Draft update

Hello,

Please review the attached draft of the driving school legislation to assure that all the points of agreement were included in the draft. We decided to leave out the internet provision out at this time to more assuredly move the legislation forward. If you could give us a response by the 9th of December we could then either get it redrafted again to fix any mistakes or then put it out for co-sponsorships so that a possibly early January hearing could be conducted.

Thanks, << File: 05-0512P2.pdf >>

Hariah Hutkowski  
Legislative Assistant  
Rep. Petrowski  
86th Assembly District

1-608-266-1182  
or 1-888-534-0086

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

~~12-15-5~~  
soon

changes on  
p. 6 & 20

1 **AN ACT** *to repeal* 343.63 (title), 343.63 (3) and (6), 343.64 (title) and (1) (intro.),  
2 343.64 (1) (d), 343.65 (title), 343.65 (1) (intro.) and (a), 343.665 (title), 343.67,  
3 343.675, 343.68, 343.70 (title), 343.71 (1) and 343.72 (8); **to renumber** 343.72  
4 (4); **to renumber and amend** 343.60 (1), 343.60 (4), 343.61 (3), 343.61 (4),  
5 343.61 (5), 343.61 (6), 343.62 (3), 343.63 (intro.), (1), (2), (4) and (5), 343.63 (5m),  
6 343.64 (1) (a), 343.64 (1) (b), 343.64 (1) (c), 343.64 (1) (e), 343.64 (1) (f), 343.64  
7 (1) (g), 343.64 (2), 343.65 (1) (b), 343.65 (2), 343.66, 343.665 (1), 343.665 (2),  
8 343.69, 343.70 (1), 343.70 (2), 343.71 (intro.), 343.71 (2), 343.71 (3), 343.72 (2),  
9 343.72 (3), 343.72 (5) and 343.72 (9); **to amend** 343.60 (3), 343.61 (1), 343.62  
10 (1), 343.66 (title), 343.69 (title), 343.71 (title), 343.72 (1), 343.72 (6), 343.72 (7),  
11 343.72 (11), 343.72 (12) and 343.73; **to repeal and recreate** 343.61 (title) and  
12 343.62 (title); and **to create** 343.60 (1) (c), (d) and (e), 343.60 (1g), 343.61 (2) (a)  
13 3., 343.61 (2) (a) 4., 343.61 (2) (am), 343.61 (2m) (intro.), 343.61 (3) (b), (c) and  
14 (d), 343.61 (3m) (b), 343.61 (5m), 343.62 (3) (a) 2., 343.62 (3) (b), 343.62 (4) (a)  
15 3., 343.62 (4) (c), 343.69 (2), 343.71 (5) and 343.72 (5m) of the statutes; **relating**

1           to: licensing and activities of driver schools and instructors and granting  
2           rule-making authority.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3           **SECTION 1.** 343.60 (1) of the statutes is renumbered 343.60 (1) (intro.) and  
4           amended to read:

5           343.60 (1) (intro.) “Driver school” means ~~the~~ a business of giving that gives  
6           instruction, for compensation, in the ~~driving operation~~ of motor vehicles, except that  
7           it does not include ~~a~~ any of the following:

8           (a) A high school or technical college which that teaches driver training as part  
9           of its regular school program and whose course of study in driver training meets the  
10          criteria for a driver education course under this chapter has been approved by the  
11          department of public instruction or technical college system board ~~and it does not~~  
12          ~~include an~~.

13          (b) An institution of higher learning ~~which that~~ teaches driver training as part  
14          of its teacher training program.

15          **SECTION 2.** 343.60 (1) (c), (d) and (e) of the statutes are created to read:

16          343.60 (1) (c) A motorcycle training school that offers a basic or experienced  
17          rider training course approved by the department.

1 (d) Any driver training school that offers training exclusively in the operation  
2 of vehicles designed and manufactured for off-highway operation.

3 (e) An instructor.

4 **SECTION 3.** 343.60 (1g) of the statutes is created to read:

5 343.60 (1g) “Driver school classroom” means any facility that is approved by  
6 the department and used to conduct driver training, but does not include a motor  
7 vehicle.

8 **SECTION 4.** 343.60 (3) of the statutes is amended to read:

9 343.60 (3) “Instructor” means any person who is employed by a driver school  
10 licensed under this chapter and who, for compensation, gives instruction in the  
11 driving operation of a motor vehicle, ~~except a person who is employed as a full time~~  
12 ~~instructor by a high school, technical college or institution of higher learning as~~  
13 ~~provided in sub. (1).~~

14 **SECTION 5.** 343.60 (4) of the statutes is renumbered 343.60 (1m) and amended  
15 to read:

16 343.60 (1m) “~~Place of business~~ Driver school office” means the location at which  
17 the driver school business is conducted and approved by the department. “Driver  
18 school office” does not include any facility used only as a driver school classroom.

19 **SECTION 6.** 343.61 (title) of the statutes is repealed and recreated to read:

20 **343.61 (title) Driver school requirements.**

21 **SECTION 7.** 343.61 (1) of the statutes is amended to read:

22 343.61 (1) The department shall issue and renew driver school licenses in  
23 conformity with the requirements of this subchapter. No person shall ~~conduct~~ may  
24 operate a driver school ~~without being licensed therefor,~~ advertise, solicit bids for

1 business, or provide services unless the person holds a valid driver school license  
2 issued by the department.

3 **SECTION 8.** 343.61 (2) (a) 3. of the statutes is created to read:

4 343.61 (2) (a) 3. Identification of all driver school office and driver school  
5 classroom locations.

6 **SECTION 9.** 343.61 (2) (a) 4. of the statutes is created to read:

7 343.61 (2) (a) 4. Proof of insurance required under sub. (3m) (a).

8 **SECTION 10.** 343.61 (2) (am) of the statutes is created to read:

9 343.61 (2) (am) A driver school may provide to the department a written  
10 certification that the driver school has complied with all applicable driver school  
11 office and driver school classroom requirements imposed under this subchapter or  
12 under any rule promulgated by the department under this subchapter.

13 **SECTION 11.** 343.61 (2m) (intro.) of the statutes is created to read:

14 343.61 (2m) (intro.) The department may not issue or renew a driver school  
15 license if any of the following applies:

16 **SECTION 12.** 343.61 (3) of the statutes is renumbered 343.61 (3) (a) 1. and  
17 amended to read:

18 343.61 (3) (a) 1. The required fee for any driver school license, or for any annual  
19 renewal thereof, is ~~\$75 or, for licenses issued or renewed after August 31, 1998, \$95.~~

20 **SECTION 13.** 343.61 (3) (b), (c) and (d) of the statutes are created to read:

21 343.61 (3) (b) In addition to the fee under par. (a), an applicant or licensee under  
22 this section shall pay a one-time fee of \$10 for each mailing address where one or  
23 more driver school classrooms are located.

24 (c) The fee for a duplicate license certificate provided under sub. (4) (a) is \$10.

1 (d) The department shall charge a fee of \$10 for any change to a license  
2 certificate, including a change in the location of a driver school office.

3 **SECTION 14.** 343.61 (3m) (b) of the statutes is created to read:

4 343.61 (3m) (b) A driver school shall file with the department a bond in the form  
5 and amount established by the department by rule.

6 **SECTION 15.** 343.61 (4) of the statutes is renumbered 343.61 (4) (a) and  
7 amended to read:

8 343.61 (4) (a) If the department approves an application for a driver school  
9 license ~~is approved by the department~~ and the applicant pays the required fee paid,  
10 the applicant ~~department~~ shall be granted issue a license, and shall be issued provide  
11 a license certificate, to the applicant. The licensee shall display ~~such the~~ certificate  
12 in the licensee's ~~place of business~~ driver school office, but is not required to display  
13 the certificate in any driver school classroom.

14 **SECTION 16.** 343.61 (5) of the statutes is renumbered 343.61 (3) (a) 2. and  
15 amended to read:

16 343.61 (3) (a) 2. A driver school license expires ~~at the end of the calendar year,~~  
17 ~~for which it is granted on the date stated on the license, but not later than 24 months~~  
18 after the date on which the license is issued. The department may institute any  
19 system of initial license issuance that it considers advisable for the purpose of  
20 gaining a uniform rate of renewals. To put such a system into operation, the  
21 department may issue licenses that are valid for any period less than one year. If the  
22 department issues a license that is valid for less than one year, the department shall  
23 accordingly prorate the fees specified under subd. 1.

24 **SECTION 17.** 343.61 (5m) of the statutes is created to read:



1           343.61 (5m) Any driver school licensed under this section may be authorized  
2           by the department to provide testing, limited to knowledge and signs tests, for  
3           students of the driver schools who are under the age of 18 and for driver school  
4           instructors. Authorized driver schools providing such testing shall meet standards  
5           and follow procedures established by the department by rule.

6           **SECTION 18.** 343.61 (6) of the statutes is renumbered 343.71 (5), and 343.71 (5)  
7           (intro.), as renumbered, is amended to read:

8           343.71 (5) (intro.) ~~No~~ The department may not license a driver school may be  
9           licensed unless its approved course of instruction does all of the following:

10          **SECTION 19.** 343.62 (title) of the statutes is repealed and recreated to read:

11          **343.62 (title) Instructor requirements.**

12          **SECTION 20.** 343.62 (1) of the statutes is amended to read:

13          343.62 (1) ~~No person holding a driver school license shall employ any person~~  
14          ~~as an instructor unless such person is licensed by the department to act as such~~  
15          ~~instructor~~ The department shall issue and renew instructor's licenses in conformity  
16          with the requirements of this subchapter. No person, including the a person holding  
17          the a driver school license, shall may act as an instructor in such a driver school  
18          unless such person is licensed the person holds a valid instructor's license issued by  
19          the department to act as such instructor. No driver school may employ any person  
20          as an instructor unless the person holds a valid instructor's license issued by the  
21          department.

22          **SECTION 21.** 343.62 (3) of the statutes is renumbered 343.62 (3) (a) 1. and  
23          amended to read:

24          343.62 (3) (a) 1. The required annual fee for any an instructor's license, ~~or for~~  
25          ~~any annual renewal thereof,~~ is \$25.

1           **SECTION 22.** 343.62 (3) (a) 2. of the statutes is created to read:

2           343.62 (3) (a) 2. An instructor's license expires on the date stated on the license,  
3 but not later than 24 months after the date on which the license is issued. The  
4 department may institute any system of initial license issuance that it considers  
5 advisable for the purpose of gaining a uniform rate of renewals. To put such a system  
6 into operation, the department may issue licenses that are valid for any period less  
7 than one year. If the department issues a license that is valid for less than one year,  
8 the department shall accordingly prorate the fee specified in subd. 1.

9           **SECTION 23.** 343.62 (3) (b) of the statutes is created to read:

10          343.62 (3) (b) If an instructor's license is lost, the department shall issue a  
11 replacement upon receipt of a completed application, satisfactory proof of the  
12 instructor's eligibility, satisfactory proof of loss, and a fee established by the  
13 department by rule.

14          **SECTION 24.** 343.62 (4) (a) 3. of the statutes is created to read:

15          343.62 (4) (a) 3. The applicant is at least 19 years of age, holds a valid regular  
16 operator's license, and has at least 2 years of licensed experience operating a motor  
17 vehicle.

18          **SECTION 25.** 343.62 (4) (c) of the statutes is created to read:

19          343.62 (4) (c) The department may not renew an instructor's license issued  
20 under this section unless the licensee meets the requirements specified under par.  
21 (a) 3. to 9., except that an instructor's license that is restricted to classroom  
22 instruction may be renewed to an applicant who meets the requirements specified  
23 in par. (a) 4. and 6. to 9.

24          **SECTION 26.** 343.63 (title) of the statutes is repealed.

1           SECTION 27. 343.63 (intro.), (1), (2), (4) and (5) of the statutes are renumbered  
2           343.62 (4) (a) (intro.), 1., 2., 4. and 5. and amended to read:

3           343.62 (4) (a) (intro.) ~~All applicants for~~ Except as provided in par. (b), the  
4           department may not issue an original instructor's license ~~shall be examined, and~~  
5           ~~other applicants may be examined, by the department as follows to an applicant~~  
6           unless all of the following apply:

7           1. ~~A written and oral~~ The applicant completes a knowledge test shall be  
8           ~~completed by the applicant and shall be~~ developed by the department and designed  
9           to evaluate the applicant's knowledge of instruction procedures, motor vehicle and  
10          traffic laws, safety equipment requirements, and functions of essential automotive  
11          equipment. ~~The, and the applicant must receive passes the test with~~ a score of at  
12          least 80 per cent percent. An applicant who fails to receive a passing score may be  
13          reexamined, except that an applicant who fails to pass the test after 2 successive  
14          attempts may not be reexamined until one year has elapsed since the date of the last  
15          test. The department may by rule provide for an alternative requirement for the  
16          issuance of an instructor license in lieu of taking and passing the test under this  
17          subdivision. An applicant may not seek review under s. 343.69 of any determination  
18          by the department under this subdivision.

19          2. The applicant ~~must pass a road~~ passes, with a score that exceeds the  
20          minimum standard for obtaining an operator's license, a driving skills test not less  
21          than 5 miles long, which shall include that includes driving maneuvers and parking  
22          involved in typical traffic situations. ~~The passing score of the applicant must exceed~~  
23          ~~the minimum standard set for obtaining an operator's license by the state~~ An  
24          applicant who fails to receive a passing score may be reexamined, except that an  
25          applicant who fails to pass the test after 2 successive attempts may not be

and administered  
as provided by  
rule

1 reexamined until one year has elapsed since the date of the last test. The department  
2 may by rule provide for an alternative requirement for the issuance of an instructor  
3 license in lieu of taking and passing the test under this subdivision. An applicant  
4 may not seek review under s. 343.69 of any determination by the department under  
5 this subdivision.

6 4. The applicant ~~shall submit~~ submits with ~~his or her~~ the application a  
7 statement completed within the immediately preceding 24 months, except as  
8 provided by rule, by a registered physician showing licensed to practice medicine in  
9 any state, from an advanced practice nurse licensed to practice nursing in any state,  
10 from a physician assistant licensed or certified to practice in any state, from a  
11 chiropractor licensed to practice chiropractic in any state, or from a Christian  
12 Science practitioner residing in this state, and listed in the Christian Science journal  
13 certifying that, in the physician's medical care provider's judgment, the applicant is  
14 physically fit to teach driving.

15 5. ~~Except for a license which is restricted to classroom instruction, no license~~  
16 ~~shall be issued to an~~ The applicant who has suffered an amputation or loss of the full  
17 ~~use of either upper limb or loss of the natural use of the foot normally employed is~~  
18 able to safely operate the foot brake and foot accelerator and control, from the  
19 passenger seat, a motor vehicle of the vehicle class and type in which the applicant  
20 will provide instruction for which satisfactory accommodation cannot be provided by  
21 adaptive vehicle equipment.

22 **SECTION 28.** 343.63 (3) and (6) of the statutes are repealed.

23 **SECTION 29.** 343.63 (5m) of the statutes is renumbered 343.62 (4) (b) and  
24 amended to read:

1           343.62 (4) (b) The Notwithstanding par. (a), the department may issue an  
2           original instructor's license which that is restricted to classroom instruction to an  
3           applicant who does not otherwise qualify for a license because of a test result under  
4           sub. (3) or because the applicant has suffered an amputation or loss of the full use  
5           of either upper limb or loss of the natural use of the foot normally employed to operate  
6           the foot brake and foot accelerator, as specified in sub. (5) the applicant does not meet  
7           the requirements specified in par. (a) 2., 3., or 5. The department may not issue an  
8           instructor's license that is restricted to classroom instruction under this paragraph  
9           unless the applicant satisfies standards established by the department by rule  
10           relating to the ability of the applicant to communicate clearly and concisely and to  
11           control the classroom environment and behavior and establishing any further  
12           certification required by the department.

13           **SECTION 30.** 343.64 (title) and (1) (intro.) of the statutes are repealed.

14           **SECTION 31.** 343.64 (1) (a) of the statutes is renumbered 343.61 (2m) (f) and  
15           amended to read:

16           343.61 (2m) (f) ~~Such~~ The applicant has made a material false statement or  
17           concealed a material fact in ~~the~~ an application;

18           **SECTION 32.** 343.64 (1) (b) of the statutes is renumbered 343.61 (2m) (a) and  
19           amended to read:

20           343.61 (2m) (a) ~~Such~~ The applicant or licensee or any officer, director, partner  
21           or other person directly interested in or actively involved in the driver school  
22           business was a former holder of, or actively involved in a driver school business  
23           operating under, a license granted issued under s. 343.61 this section or a similar  
24           license issued by another jurisdiction or was directly interested in or a party actively  
25           involved in another driver school which held a license under ~~s. 343.61~~ and which this

1 section or a similar license issued by another jurisdiction, or was the former holder  
2 of an instructor license issued under s. 343.62, and any such license was revoked or  
3 suspended;

4 **SECTION 33.** 343.64 (1) (c) of the statutes is renumbered 343.61 (2m) (b) and  
5 amended to read:

6 343.61 (2m) (b) Subject to ss. 111.321, 111.322, and 111.335, the applicant or  
7 licensee or any officer, director, stockholder, partner or any person directly interested  
8 in or actively involved in the driver school business has been convicted of a felony,  
9 or any other disqualifying offense as established by rule by the department, in this  
10 state, or in another jurisdiction, including a conviction under the law of a federally  
11 recognized American Indian tribe or band in this state, for an offense that if  
12 committed in this state would be a felony or disqualifying offense, unless the person  
13 so convicted has been duly officially pardoned;

14 **SECTION 34.** 343.64 (1) (d) of the statutes is repealed.

15 **SECTION 35.** 343.64 (1) (e) of the statutes is renumbered 343.61 (2m) (c) and  
16 amended to read:

17 343.61 (2m) (c) ~~Such~~ The applicant or licensee does not have a ~~place of business~~  
18 ~~as required by s. 343.72 (5);~~ driver school office.

19 **SECTION 36.** 343.64 (1) (f) of the statutes is renumbered 343.61 (2m) (d) and  
20 amended to read:

21 343.61 (2m) (d) ~~Such~~ The applicant or licensee is not the true owner of the  
22 driver school; ~~or,~~

23 **SECTION 37.** 343.64 (1) (g) of the statutes is renumbered 343.61 (3m) (a) and  
24 amended to read:

1           343.61 (3m) (a) ~~The application is not accompanied by a copy of A driver school~~  
2     ~~shall maintain~~ a standard liability insurance policy in the amount of \$50,000 for  
3     ~~personal injury to, or death of any one person and subject to said limit for any one~~  
4     ~~person, \$100,000 for personal injury to, or death of any number of persons involved~~  
5     ~~in any one accident, and \$10,000 for property damage in any one accident, suffered~~  
6     ~~or caused by reason of the negligence of the applicant or any agent or employee of the~~  
7     ~~applicant name of the school, with the minimum insurance coverage specified by rule~~  
8     ~~by the department. The insurance policy shall require the insurer to notify the~~  
9     ~~department not less than 30 days before the policy expires or is materially changed~~  
10    ~~or canceled.~~

11           **SECTION 38.** 343.64 (2) of the statutes is renumbered 343.61 (2m) (e) and  
12     amended to read:

13           343.61 (2m) (e) ~~The secretary shall deny the application of any person for a~~  
14     ~~driver school license if the~~ The applicant or licensee fails to provide the information  
15     ~~or statement~~ required under ~~s. 343.61 sub. (2) (a) 1. or to 2., or if the applicant does~~  
16     ~~not have a social security number, a statement made or subscribed under oath or~~  
17     ~~affirmation that the applicant does not have a social security number.~~

18           **SECTION 39.** 343.65 (title) of the statutes is repealed.

19           **SECTION 40.** 343.65 (1) (intro.) and (a) of the statutes are repealed.

20           **SECTION 41.** 343.65 (1) (b) of the statutes is renumbered 343.62 (4) (a) 7. and  
21     amended to read:

22           343.62 (4) (a) 7. ~~The applicant has failed to furnish~~ provided to the department  
23     ~~satisfactory evidence of the facts required of the applicant, has not held a license to~~  
24     ~~drive a motor vehicle within this state for the past year, under sub. (2) (a).~~

1       8. The applicant has not had a driving record that is satisfactory to the  
2 secretary, or, subject department, as specified by rule.

3       9. Subject to ss. 111.321, 111.322 and 111.335, the applicant has not been  
4 convicted of a felony and, or any other disqualifying offense as established by rule  
5 by the department, in this state, or in another jurisdiction, including a conviction  
6 under the law of a federally recognized American Indian tribe or band in this state,  
7 for an offense that if committed in this state would be a felony or disqualifying  
8 offense, unless the person so convicted has not been duly officially pardoned.

9       **SECTION 42.** 343.65 (2) of the statutes is renumbered 343.62 (4) (a) 6. and  
10 amended to read:

11       343.62 (4) (a) 6. ~~The secretary shall deny an application for the issuance or~~  
12 ~~renewal of an instructor's license if the applicant has not included~~ provides his or her  
13 social security number ~~in the application, unless the applicant is an individual who~~  
14 ~~does not have a social security number and submits a statement made or subscribed~~  
15 ~~under oath or affirmation as required under s. 343.62 (2) (a) or the statement~~  
16 specified in sub. (2) (am) as required under sub. (2).

17       **SECTION 43.** 343.66 (title) of the statutes is amended to read:

18       **343.66 (title) Revocation or, suspension, cancellation, or denial of**  
19 **renewal of driver school license licenses and instructor's licenses.**

20       **SECTION 44.** 343.66 of the statutes is renumbered 343.66 (1) and amended to  
21 read:

22       343.66 (1) The ~~secretary~~ department may suspend ~~or, revoke, or cancel~~ any  
23 driver school license issued under s. 343.61 or instructor's license issued under s.  
24 343.62, or, subject to ss. 343.61 and 343.62, refuse to issue a renewal thereof if renew



1 a driver school license or instructor's license if, during any period, any of the  
2 following applies:

3 (a) The licensee has made a material false statement or concealed a material  
4 fact in connection with the application for a license or the renewal thereof; of a  
5 license.

6 (b) Subject to ss. 111.321, 111.322 and 111.335, the licensee or any partner,  
7 member, manager or officer of the licensee has been convicted of a felony; or any  
8 other disqualifying offense as established by rule by the department, in this state,  
9 or in another jurisdiction, including a conviction under the law of a federally  
10 recognized American Indian tribe or band in this state, for an offense that if  
11 committed in this state would be a felony or disqualifying offense, unless the person  
12 so convicted has been officially pardoned.

13 (c) The licensee has failed to comply with any of the requirements of ss. 343.60  
14 to 343.72; or rules promulgated under those sections.

15 (d) The licensee or any partner, member, manager or officer of ~~such~~ the licensee  
16 has been guilty of fraud or fraudulent practices in relation to the business conducted  
17 under the license or in relation to securing for himself or herself or another a license  
18 to operate a motor vehicle, or guilty of inducing another person to resort to fraud or  
19 fraudulent practices in relation to securing for himself or herself or another the  
20 license to ~~drive~~ operate a motor vehicle;.

21 (e) Subject to ss. 111.321, 111.322 and 111.335, the licensee has knowingly  
22 employed, as an instructor, a person who ~~has been convicted of a felony or has~~  
23 ~~retained such a person in such employ after knowledge of his or her conviction; or~~  
24 does not meet the requirements under s. 343.62.

1 (f) The licensee has failed to maintain ~~satisfactory insurance to meet damage~~  
2 ~~claims in the amounts specified by s. 343.64 (1) (g) as required by the department~~  
3 under s. 343.61 (3m) (a).

4 **SECTION 45.** 343.665 (title) of the statutes is repealed.

5 **SECTION 46.** 343.665 (1) of the statutes is renumbered 343.66 (2) and amended  
6 to read:

7 343.66 (2) The secretary shall deny, restrict, limit or suspend any driver school  
8 license issued under s. 343.61 or instructor's license issued under s. 343.62 or refuse  
9 to ~~issue a renewal for such~~ renew a driver school license or instructor's license if the  
10 applicant or licensee is an individual who is delinquent in making court-ordered  
11 payments of child or family support, maintenance, birth expenses, medical expenses  
12 or other expenses related to the support of a child or former spouse, or who fails to  
13 comply, after appropriate notice, with a subpoena or warrant issued by the  
14 department of workforce development or a county child support agency under s.  
15 59.53 (5) and related to paternity or child support proceedings, as provided in a  
16 memorandum of understanding entered into under s. 49.857.

17 **SECTION 47.** 343.665 (2) of the statutes is renumbered 343.66 (3) and amended  
18 to read:

19 343.66 (3) The secretary shall suspend or revoke a driver school license issued  
20 under s. 343.61 or an instructor's license issued under s. 343.62, if the department  
21 of revenue certifies under s. 73.0301 that the licensee is liable for delinquent taxes.  
22 A licensee whose driver school license or instructor's license is suspended or revoked  
23 under this subsection for delinquent taxes is entitled to a notice under s. 73.0301 (2)  
24 (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not entitled to any other notice  
25 or hearing under this subchapter.

1       **SECTION 48.** 343.67 of the statutes is repealed.

2       **SECTION 49.** 343.675 of the statutes is repealed.

3       **SECTION 50.** 343.68 of the statutes is repealed.

4       **SECTION 51.** 343.69 (title) of the statutes is amended to read:

5       **343.69 (title)   Hearings on license denials and, cancellations,**  
6       **restrictions, suspensions, and revocations, and progressive enforcement**  
7       **action.**

8       **SECTION 52.** 343.69 of the statutes is renumbered 343.69 (1) and amended to  
9       read:

10       343.69 (1) ~~Before~~ If the department denies an application for original issuance  
11       or renewal of a driver school license or instructor's license, or revokes, suspends,  
12       cancels, or restricts any such license, the department shall notify the applicant or  
13       licensee in writing of the ~~pending~~ action ~~and that the division of hearings and appeals~~  
14       ~~will hold a hearing on the pending denial or revocation. The division of hearings and~~  
15       ~~appeals shall send~~ by sending notice of the hearing action by registered or certified  
16       mail to the last-known address of the licensee or applicant, ~~at least 10 days prior to~~  
17       ~~the date of the hearing. Any person who is aggrieved by a decision of the department~~  
18       under this subsection may, within 10 days after the date of receiving notice of the  
19       department's action, request review of the action by the division of hearings and  
20       appeals in the department of administration under ch. 227. This section subsection  
21       does not apply to denials, cancellations, restrictions, suspensions, or revocations of  
22       licenses under s. ~~343.665 or 343.675~~ 343.66 (2) or (3).

23       **SECTION 53.** 343.69 (2) of the statutes is created to read:

24       343.69 (2) The department shall establish by rule a system of progressive  
25       enforcement action taken against licensees for violations of this subchapter or rules

1 promulgated under this subchapter. This system shall include a procedure for  
2 addressing consumer complaints and taking action against licensees when such  
3 complaints are found to be substantiated.

4 **SECTION 54.** 343.70 (title) of the statutes is repealed.

5 **SECTION 55.** 343.70 (1) of the statutes is renumbered 343.61 (3) (e) and  
6 amended to read:

7 343.61 (3) (e) If any driver school ~~or instructor's~~ license is lost, ~~it shall be~~  
8 ~~reissued by the department upon application therefor accompanied by~~ shall issue a  
9 replacement upon receipt of a completed application, satisfactory proof of eligibility,  
10 satisfactory proof of loss, and a fee of \$1 established by the department by rule.

11 **SECTION 56.** 343.70 (2) of the statutes is renumbered 343.66 (4) and amended  
12 to read:

13 343.66 (4) If a driver school or instructor's license is ~~suspended or~~ revoked,  
14 canceled, or suspended, the licensee shall surrender all driver school and instructor  
15 licenses to the department and no portion of the any license fee shall be refunded.

16 **SECTION 57.** 343.71 (title) of the statutes is amended to read:

17 **343.71 (title)** ~~Driver schools to maintain school records, curriculum,~~  
18 and operations.

19 **SECTION 58.** 343.71 (intro.) of the statutes is renumbered 343.71 (1m) (intro.)  
20 and amended to read:

21 343.71 (1m) (intro.) Every licensed driver school shall maintain all of the  
22 following records:

23 **SECTION 59.** 343.71 (1) of the statutes is repealed.

24 **SECTION 60.** 343.71 (2) of the statutes is renumbered 343.71 (1m) (a) and  
25 amended to read:

1           343.71 (1m) (a) A record showing the date, type, and duration of, and the name  
2           and address of each person receiving, all lessons, lectures, tutoring, instructions or  
3           other services relating to instructions in the operation of motor vehicles, and this  
4           record shall include the name of the instructor giving such lessons or instructions  
5           and identification of the vehicle in which any ~~road~~ driving skills lesson is given,  
6           ~~including type of transmission;~~

7           **SECTION 61.** 343.71 (3) of the statutes is renumbered 343.71 (1m) (b) and  
8           amended to read:

9           343.71 (1m) (b) A file containing a ~~duplicate~~ copy of every agreement entered  
10          ~~into between the school and every person given lessons, lectures, instructions or~~  
11          ~~other services relating to instructions in the operation of motor vehicles~~ required  
12          under this paragraph. No person shall be given driver school or instructor may  
13          provide lessons, lectures, tutoring or other services relating to instructions in the  
14          operation of motor vehicles ~~until~~ unless a written agreement in a form approved by  
15          the department has been executed by ~~both~~ the school and either the student if the  
16          student is at least 18 years of age or, if the student is under 18 years of age, the  
17          student's parent or legal guardian. The student shall be given driver school shall  
18          give the student, or the parent or guardian if the student is under 18 years of age,  
19          the original, while the school agreement and shall retain and preserve the ~~carbon a~~  
20          duplicate thereof copy of the agreement.

21          **SECTION 62.** 343.71 (5) of the statutes is created to read:

22          343.71 (5) A driver school shall notify the department of the name and address  
23          of each person who is under the age of 18 years at the commencement of a course in  
24          driver training and who fails to satisfactorily complete the course.

25          **SECTION 63.** 343.72 (1) of the statutes is amended to read:

1           343.72 (1) No licensee may agree to give refresher lessons, unless the student  
2           states that he or she has had previous ~~driving~~ experience operating a motor vehicle.

3           **SECTION 64.** 343.72 (2) of the statutes is renumbered 343.71 (2m) and amended  
4           to read:

5           343.71 (2m) No licensee shall may agree to give unlimited ~~driver's~~ driver  
6           lessons, nor represent or agree, orally or in writing or as a part of an inducement to  
7           sign any agreement, to give instructions until the student obtains an operator's  
8           license ~~is obtained~~.

9           **SECTION 65.** 343.72 (3) of the statutes is renumbered 343.71 (3m) and amended  
10          to read:

11          343.71 (3m) No agreement shall may contain a "no refund" clause, but may  
12          contain the following: "The school will not refund any tuition or part of tuition if the  
13          school is ready, willing and able to fulfill its part of the agreement".

14          **SECTION 66.** 343.72 (4) of the statutes is renumbered 343.71 (4).

15          **SECTION 67.** 343.72 (5) of the statutes is renumbered 343.61 (4) (b) and  
16          amended to read:

17          343.61 (4) (b) The licensee ~~shall have a specific place of business described~~  
18          location of each driver school office shall be identified in the license. ~~No~~ Except as  
19          provided by the department by rule, no licensee shall may establish its headquarters  
20          any driver school office within 1,500 feet of a department office where operator's  
21          licenses are issued, nor within 1,500 feet of any headquarters where official ~~road~~  
22          driving skills tests are given, ~~and locations shall be filed with the department as part~~  
23          of the license application. Any change in address of any driver school office or driver  
24          school classroom must be reported to and approved by the department. A driver

1 school may maintain driver school classrooms at locations other than the driver  
2 school office.

3 **SECTION 68.** 343.72 (5m) of the statutes is created to read:

4 343.72 (5m) No driver school may represent that completion of a course of  
5 instruction will guarantee that the student will pass the driving skills test  
6 administered by the department. A driver school may only represent by means of a  
7 certificate of completion that the student has satisfactorily completed the required  
8 course.

9 **SECTION 69.** 343.72 (6) of the statutes is amended to read:

10 343.72 (6) All licensees must ascertain from state license examiners the route  
11 over which road tests are given, and no licensee may instruct in those areas, except  
12 that ~~commercial~~ <sup>driver</sup> schools may operate on a division of motor vehicle skills test route  
13 if comparable training location opportunities are not otherwise available in the  
14 locale.

15 **SECTION 70.** 343.72 (7) of the statutes is amended to read:

16 343.72 (7) Licensees ~~shall~~ may not publish, advertise, or ~~intimate~~ create the  
17 impression that a license is guaranteed or assured. The display of a sign such as  
18 “License Secured Here” is forbidden.

19 **SECTION 71.** 343.72 (8) of the statutes is repealed.

20 **SECTION 72.** 343.72 (9) of the statutes is renumbered 343.61 (4) (c) and  
21 amended to read:

22 343.61 (4) (c) ~~Except as provided by sub. (8), the~~ The use of the word  
23 “Wisconsin”, or “State” ~~or the name of the city in which the school is located,~~ in any  
24 sign, firm name ~~or other medium of advertising~~ is prohibited.

25 **SECTION 73.** 343.72 (11) of the statutes is amended to read:

1           343.72 (11) All driver training ears vehicles must be registered with the  
2           department with a brief description of each, including the make, model, and  
3           registration number, and ~~type of transmission~~ shall be kept in safe working  
4           condition, as established by the department by rule. The department may  
5           promulgate rules authorizing the department to place any driver training vehicle out  
6           of service for a vehicle equipment violation or for failure to file with the department  
7           proof of insurance for the vehicle.

8           **SECTION 74.** 343.72 (12) of the statutes is amended to read:

9           343.72 (12) All driver training ears vehicles shall be equipped with approved  
10          dual controls so that the instructor can stop the ear vehicle promptly. The  
11          department may inspect these ears vehicles at its discretion. After initial inspection  
12          of any driver training vehicle by the department, a driver school may, as provided by  
13          rule, certify to the department the condition of any driver training vehicle of a model  
14          year not more than 3 years old.

15          **SECTION 75.** 343.73 of the statutes is amended to read:

16          **343.73 Penalty.** Any person who violates ss. 343.60 to 343.72 may be fined  
17          required to forfeit not less than \$25 ~~\$100~~ nor more than \$100 ~~or imprisoned not more~~  
18          ~~than 30 days~~ \$200 for each offense.

19          **SECTION 76. Initial applicability.**

20          (1) This act first applies to licenses issued or renewed, actions taken by the  
21          department of transportation against licenses, agreements entered into, and  
22          requests for review or hearing made, on the effective date of this subsection.

23          **SECTION 77. Effective date.**



1           (1) This act takes effect on the first day of the 4th month beginning after  
2       publication.

3 (END)



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0512/P4

PJH:kjf:pg

2/24

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1     **AN ACT** *to repeal* 343.63 (title), 343.63 (3) and (6), 343.64 (title) and (1) (intro.),  
2         343.64 (1) (d), 343.65 (title), 343.65 (1) (intro.) and (a), 343.665 (title), 343.67,  
3         343.675, 343.68, 343.70 (title), 343.71 (1) and 343.72 (8); **to renumber** 343.72  
4         (4); **to renumber and amend** 343.60 (1), 343.60 (4), 343.61 (3), 343.61 (4),  
5         343.61 (5), 343.61 (6), 343.62 (3), 343.63 (intro.), (1), (2), (4) and (5), 343.63 (5m),  
6         343.64 (1) (a), 343.64 (1) (b), 343.64 (1) (c), 343.64 (1) (e), 343.64 (1) (f), 343.64  
7         (1) (g), 343.64 (2), 343.65 (1) (b), 343.65 (2), 343.66, 343.665 (1), 343.665 (2),  
8         343.69, 343.70 (1), 343.70 (2), 343.71 (intro.), 343.71 (2), 343.71 (3), 343.72 (2),  
9         343.72 (3), 343.72 (5) and 343.72 (9); **to amend** 343.60 (3), 343.61 (1), 343.62  
10        (1), 343.66 (title), 343.69 (title), 343.71 (title), 343.72 (1), 343.72 (6), 343.72 (7),  
11        343.72 (11), 343.72 (12) and 343.73; **to repeal and recreate** 343.61 (title) and  
12        343.62 (title); and **to create** 343.60 (1) (c), (d) and (e), 343.60 (1g), 343.61 (2) (a)  
13        3., 343.61 (2) (a) 4., 343.61 (2) (am), 343.61 (2m) (intro.), 343.61 (3) (b), (c) and  
14        (d), 343.61 (3m) (b), 343.61 (5m), 343.62 (3) (a) 2., 343.62 (3) (b), 343.62 (4) (a)  
15        3., 343.62 (4) (c), 343.69 (2), 343.71 (5) and 343.72 (5m) of the statutes; **relating**

1           to: licensing and activities of driver schools and instructors, and granting  
2           rule-making authority, and providing a penalty

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***Analysis by the Legislative Reference Bureau***

*insert analysis* → ~~This is a preliminary draft. An analysis will be provided in a later version.~~

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3           **SECTION 1.** 343.60 (1) of the statutes is renumbered 343.60 (1) (intro.) and  
4 amended to read:

5           343.60 (1) (intro.) “Driver school” means the a business of giving that gives  
6 instruction, for compensation, in the driving operation of motor vehicles, except that  
7 it does not include ~~a~~ any of the following:

8           (a) A high school or technical college which that teaches driver training as part  
9 of its regular school program and whose course of study in driver training meets the  
10 criteria for a driver education course under this chapter has been approved by the  
11 department of public instruction or technical college system board ~~and it does not~~  
12 ~~include an~~.

13           (b) An institution of higher learning which that teaches driver training as part  
14 of its teacher training program.

15           **SECTION 2.** 343.60 (1) (c), (d) and (e) of the statutes are created to read:

16           343.60 (1) (c) A motorcycle training school that offers a basic or experienced  
17 rider training course approved by the department.

1 (d) Any driver training school that offers training exclusively in the operation  
2 of vehicles designed and manufactured for off-highway operation.

3 (e) An instructor.

4 **SECTION 3.** 343.60 (1g) of the statutes is created to read:

5 343.60 (1g) “Driver school classroom” means any facility that is approved by  
6 the department and used to conduct driver training, but does not include a motor  
7 vehicle.

8 **SECTION 4.** 343.60 (3) of the statutes is amended to read:

9 343.60 (3) “Instructor” means any person who is employed by a driver school  
10 licensed under this chapter and who, for compensation, gives instruction in the  
11 driving operation of a motor vehicle, except a person who is employed as a full time  
12 instructor by a high school, technical college or institution of higher learning as  
13 provided in sub. (1).

14 **SECTION 5.** 343.60 (4) of the statutes is renumbered 343.60 (1m) and amended  
15 to read:

16 343.60 (1m) “Place of business Driver school office” means the location at which  
17 the driver school business is conducted and approved by the department. “Driver  
18 school office” does not include any facility used only as a driver school classroom.

19 **SECTION 6.** 343.61 (title) of the statutes is repealed and recreated to read:

20 **343.61 (title) Driver school requirements.**

21 **SECTION 7.** 343.61 (1) of the statutes is amended to read:

22 343.61 (1) The department shall issue and renew driver school licenses in  
23 conformity with the requirements of this subchapter. No person shall conduct may  
24 operate a driver school without being licensed therefor, advertise, solicit bids for

1 business, or provide services unless the person holds a valid driver school license  
2 issued by the department.

3 **SECTION 8.** 343.61 (2) (a) 3. of the statutes is created to read:

4 343.61 (2) (a) 3. Identification of all driver school office and driver school  
5 classroom locations.

6 **SECTION 9.** 343.61 (2) (a) 4. of the statutes is created to read:

7 343.61 (2) (a) 4. Proof of insurance required under sub. (3m) (a).

8 **SECTION 10.** 343.61 (2) (am) of the statutes is created to read:

9 343.61 (2) (am) A driver school may provide to the department a written  
10 certification that the driver school has complied with all applicable driver school  
11 office and driver school classroom requirements imposed under this subchapter or  
12 under any rule promulgated by the department under this subchapter.

13 **SECTION 11.** 343.61 (2m) (intro.) of the statutes is created to read:

14 343.61 (2m) (intro.) The department may not issue or renew a driver school  
15 license if any of the following applies:

16 **SECTION 12.** 343.61 (3) of the statutes is renumbered 343.61 (3) (a) 1. and  
17 amended to read:

18 343.61 (3) (a) 1. The required fee for any driver school license, or for any annual  
19 renewal thereof, is \$75 or, for licenses issued or renewed after August 31, 1998, \$95.

20 **SECTION 13.** 343.61 (3) (b), (c) and (d) of the statutes are created to read:

21 343.61 (3) (b) In addition to the fee under par. (a), an applicant or licensee under  
22 this section shall pay a one-time fee of \$10 for each mailing address where one or  
23 more driver school classrooms are located.

24 (c) The fee for a duplicate license certificate provided under sub. (4) (a) is \$10.

1 (d) The department shall charge a fee of \$10 for any change to a license  
2 certificate, including a change in the location of a driver school office.

3 **SECTION 14.** 343.61 (3m) (b) of the statutes is created to read:

4 343.61 (3m) (b) A driver school shall file with the department a bond in the form  
5 and amount established by the department by rule.

6 **SECTION 15.** 343.61 (4) of the statutes is renumbered 343.61 (4) (a) and  
7 amended to read:

8 343.61 (4) (a) If the department approves an application for a driver school  
9 license is approved by the department and the applicant pays the required fee paid,  
10 the applicant department shall be granted issue a license, and shall be issued provide  
11 a license certificate, to the applicant. The licensee shall display such the certificate  
12 in the licensee's place of business driver school office, but is not required to display  
13 the certificate in any driver school classroom.

14 **SECTION 16.** 343.61 (5) of the statutes is renumbered 343.61 (3) (a) 2. and  
15 amended to read:

16 343.61 (3) (a) 2. A driver school license expires at the end of the calendar year,  
17 for which it is granted on the date stated on the license, but not later than 24 months  
18 after the date on which the license is issued. The department may institute any  
19 system of initial license issuance that it considers advisable for the purpose of  
20 gaining a uniform rate of renewals. To put such a system into operation, the  
21 department may issue licenses that are valid for any period less than one year. If the  
22 department issues a license that is valid for less than one year, the department shall  
23 accordingly prorate the fees specified under subd. 1.

24 **SECTION 17.** 343.61 (5m) of the statutes is created to read:

1           343.61 (5m) Any driver school licensed under this section may be authorized  
2           by the department to provide testing, limited to knowledge and signs tests, for  
3           students of the driver schools who are under the age of 18 and for driver school  
4           instructors. Authorized driver schools providing such testing shall meet standards  
5           and follow procedures established by the department by rule.

6           **SECTION 18.** 343.61 (6) of the statutes is renumbered 343.71 (5), and 343.71 (5)  
7           (intro.), as renumbered, is amended to read:

8           343.71 (5) (intro.) ~~No~~ The department may not license a driver school may be  
9           licensed unless its approved course of instruction does all of the following:

10          **SECTION 19.** 343.62 (title) of the statutes is repealed and recreated to read:

11          **343.62 (title) Instructor requirements.**

12          **SECTION 20.** 343.62 (1) of the statutes is amended to read:

13          343.62 (1) ~~No person holding a driver school license shall employ any person~~  
14          ~~as an instructor unless such person is licensed by the department to act as such~~  
15          ~~instructor~~ The department shall issue and renew instructor's licenses in conformity  
16          with the requirements of this subchapter. No person, including the ~~a~~ person holding  
17          the ~~a~~ driver school license, shall ~~may~~ act as an instructor in such a driver school  
18          unless such person is licensed the person holds a valid instructor's license issued by  
19          the department ~~to act as such instructor.~~ No driver school may employ any person  
20          as an instructor unless the person holds a valid instructor's license issued by the  
21          department.

22          **SECTION 21.** 343.62 (3) of the statutes is renumbered 343.62 (3) (a) 1. and  
23          amended to read:

24          343.62 (3) (a) 1. The ~~required~~ annual fee for any an instructor's license, ~~or for~~  
25          any annual renewal thereof, is \$25.

1           **SECTION 22.** 343.62 (3) (a) 2. of the statutes is created to read:

2           343.62 (3) (a) 2. An instructor's license expires on the date stated on the license,  
3 but not later than 24 months after the date on which the license is issued. The  
4 department may institute any system of initial license issuance that it considers  
5 advisable for the purpose of gaining a uniform rate of renewals. To put such a system  
6 into operation, the department may issue licenses that are valid for any period less  
7 than one year. If the department issues a license that is valid for less than one year,  
8 the department shall accordingly prorate the fee specified in subd. 1.

9           **SECTION 23.** 343.62 (3) (b) of the statutes is created to read:

10          343.62 (3) (b) If an instructor's license is lost, the department shall issue a  
11 replacement upon receipt of a completed application, satisfactory proof of the  
12 instructor's eligibility, satisfactory proof of loss, and a fee established by the  
13 department by rule.

14          **SECTION 24.** 343.62 (4) (a) 3. of the statutes is created to read:

15          343.62 (4) (a) 3. The applicant is at least 19 years of age, holds a valid regular  
16 operator's license, and has at least 2 years of licensed experience operating a motor  
17 vehicle.

18          **SECTION 25.** 343.62 (4) (c) of the statutes is created to read:

19          343.62 (4) (c) The department may not renew an instructor's license issued  
20 under this section unless the licensee meets the requirements specified under par.  
21 (a) 3. to 9., except that an instructor's license that is restricted to classroom  
22 instruction may be renewed to an applicant who meets the requirements specified  
23 in par. (a) 4. and 6. to 9.

24          **SECTION 26.** 343.63 (title) of the statutes is repealed.



1           **SECTION 27.** 343.63 (intro.), (1), (2), (4) and (5) of the statutes are renumbered  
2           343.62 (4) (a) (intro.), 1., 2., 4. and 5. and amended to read:

3           343.62 (4) (a) (intro.) ~~All applicants for~~ Except as provided in par. (b), the  
4           ~~department may not issue~~ an original instructor's license shall be examined, and  
5           ~~other applicants may be examined, by the department as follows to an applicant~~  
6           unless all of the following apply:

7           1. ~~A written and oral~~ The applicant completes a knowledge test shall be  
8           ~~completed by the applicant and shall be~~ developed by the department and  
9           ~~administered as provided by rule, and~~ designed to evaluate the applicant's  
10          knowledge of instruction procedures, motor vehicle and traffic laws, safety  
11          equipment requirements, and functions of essential automotive equipment. The,  
12          and the applicant must receive passes the test with a score of at least 80 per cent  
13          percent. An applicant who fails to receive a passing score may be reexamined, except  
14          that an applicant who fails to pass the test after 2 successive attempts may not be  
15          reexamined until one year has elapsed since the date of the last test. The department  
16          may by rule provide for an alternative requirement for the issuance of an instructor  
17          license in lieu of taking and passing the test under this subdivision. An applicant  
18          may not seek review under s. 343.69 of any determination by the department under  
19          this subdivision.

20          2. ~~The applicant must pass a road~~ passes, with a score that exceeds the  
21          minimum standard for obtaining an operator's license, a driving skills test not less  
22          than 5 miles long, which shall include that includes driving maneuvers and parking  
23          involved in typical traffic situations. The passing score of the applicant must exceed  
24          the minimum standard set for obtaining an operator's license by the state An  
25          applicant who fails to receive a passing score may be reexamined, except that an

1 applicant who fails to pass the test after 2 successive attempts may not be  
2 reexamined until one year has elapsed since the date of the last test. The department  
3 may by rule provide for an alternative requirement for the issuance of an instructor  
4 license in lieu of taking and passing the test under this subdivision. An applicant  
5 may not seek review under s. 343.69 of any determination by the department under  
6 this subdivision.

7 4. The applicant shall ~~submit~~ submits with ~~his or her~~ the application a  
8 statement completed within the immediately preceding 24 months, except as  
9 provided by rule, by a registered physician showing licensed to practice medicine in  
10 any state, from an advanced practice nurse licensed to practice nursing in any state,  
11 from a physician assistant licensed or certified to practice in any state, from a  
12 chiropractor licensed to practice chiropractic in any state, or from a Christian  
13 Science practitioner residing in this state, and listed in the Christian Science journal  
14 certifying that, in the physician's medical care provider's judgment, the applicant is  
15 physically fit to teach driving.

16 5. ~~Except for a license which is restricted to classroom instruction, no license~~  
17 ~~shall be issued to an~~ The applicant who has suffered an amputation or loss of the full  
18 use of either upper limb or loss of the natural use of the foot normally employed is  
19 able to safely operate the foot brake and foot accelerator and control, from the  
20 passenger seat, a motor vehicle of the vehicle class and type in which the applicant  
21 will provide instruction for which satisfactory accommodation cannot be provided by  
22 adaptive vehicle equipment.

23 **SECTION 28.** 343.63 (3) and (6) of the statutes are repealed.

24 **SECTION 29.** 343.63 (5m) of the statutes is renumbered 343.62 (4) (b) and  
25 amended to read:

1           343.62 (4) (b) The Notwithstanding par. (a), the department may issue an  
2           original instructor's license ~~which that~~ is restricted to classroom instruction to an  
3           applicant who does not otherwise qualify for a license because of a test result under  
4           sub. (3) or because the applicant has suffered an amputation or loss of the full use  
5           of either upper limb or loss of the natural use of the foot normally employed to operate  
6           the foot brake and foot accelerator, as specified in sub. (5) the applicant does not meet  
7           the requirements specified in par. (a) 2., 3., or 5. The department may not issue an  
8           instructor's license that is restricted to classroom instruction under this paragraph  
9           unless the applicant satisfies standards established by the department by rule  
10          relating to the ability of the applicant to communicate clearly and concisely and to  
11          control the classroom environment and behavior and establishing any further  
12          certification required by the department.

13           **SECTION 30.** 343.64 (title) and (1) (intro.) of the statutes are repealed.

14           **SECTION 31.** 343.64 (1) (a) of the statutes is renumbered 343.61 (2m) (f) and  
15          amended to read:

16           343.61 (2m) (f) ~~Such~~ The applicant has made a material false statement or  
17          concealed a material fact in the an application.

18           **SECTION 32.** 343.64 (1) (b) of the statutes is renumbered 343.61 (2m) (a) and  
19          amended to read:

20           343.61 (2m) (a) ~~Such~~ The applicant or licensee or any officer, director, partner  
21          or other person directly interested in or actively involved in the driver school  
22          business was a former holder of, or actively involved in a driver school business  
23          operating under, a license granted issued under s. 343.61 this section or a similar  
24          license issued by another jurisdiction or was directly interested in or a party actively  
25          involved in another driver school which held a license under s. 343.61 and which this

1 section or a similar license issued by another jurisdiction, or was the former holder  
2 of an instructor license issued under s. 343.62, and any such license was revoked or  
3 suspended;

4 **SECTION 33.** 343.64 (1) (c) of the statutes is renumbered 343.61 (2m) (b) and  
5 amended to read:

6 343.61 (2m) (b) Subject to ss. 111.321, 111.322, and 111.335, the applicant or  
7 licensee or any officer, director, stockholder, partner or any person directly interested  
8 in or actively involved in the driver school business has been convicted of a felony,  
9 or any other disqualifying offense as established by rule by the department, in this  
10 state, or in another jurisdiction, including a conviction under the law of a federally  
11 recognized American Indian tribe or band in this state, for an offense that if  
12 committed in this state would be a felony or disqualifying offense, unless the person  
13 so convicted has been duly officially pardoned;

14 **SECTION 34.** 343.64 (1) (d) of the statutes is repealed.

15 **SECTION 35.** 343.64 (1) (e) of the statutes is renumbered 343.61 (2m) (c) and  
16 amended to read:

17 343.61 (2m) (c) ~~Such~~ The applicant or licensee does not have a ~~place of business~~  
18 ~~as required by s. 343.72 (5);~~ driver school office.

19 **SECTION 36.** 343.64 (1) (f) of the statutes is renumbered 343.61 (2m) (d) and  
20 amended to read:

21 343.61 (2m) (d) ~~Such~~ The applicant or licensee is not the true owner of the  
22 driver school; ~~or.~~

23 **SECTION 37.** 343.64 (1) (g) of the statutes is renumbered 343.61 (3m) (a) and  
24 amended to read:

1           343.61 (3m) (a) ~~The application is not accompanied by a copy of A driver school~~  
2     ~~shall maintain~~ a standard liability insurance policy in the amount of \$50,000 for  
3     ~~personal injury to, or death of any one person and subject to said limit for any one~~  
4     ~~person, \$100,000 for personal injury to, or death of any number of persons involved~~  
5     ~~in any one accident, and \$10,000 for property damage in any one accident, suffered~~  
6     ~~or caused by reason of the negligence of the applicant or any agent or employee of the~~  
7     ~~applicant name of the school, with the minimum insurance coverage specified by rule~~  
8     ~~by the department. The insurance policy shall require the insurer to notify the~~  
9     ~~department not less than 30 days before the policy expires or is materially changed~~  
10    ~~or canceled.~~

11           **SECTION 38.** 343.64 (2) of the statutes is renumbered 343.61 (2m) (e) and  
12     amended to read:

13           343.61 (2m) (e) ~~The secretary shall deny the application of any person for a~~  
14     ~~driver school license if the~~ The applicant or licensee fails to provide the information  
15     or statement required under s. 343.61 sub. (2) (a) 1. ~~or to 2., or if the applicant does~~  
16     ~~not have a social security number, a statement made or subscribed under oath or~~  
17     ~~affirmation that the applicant does not have a social security number.~~

18           **SECTION 39.** 343.65 (title) of the statutes is repealed.

19           **SECTION 40.** 343.65 (1) (intro.) and (a) of the statutes are repealed.

20           **SECTION 41.** 343.65 (1) (b) of the statutes is renumbered 343.62 (4) (a) 7. and  
21     amended to read:

22           343.62 (4) (a) 7. The applicant has failed to furnish provided to the department  
23     satisfactory evidence of the facts required of the applicant, ~~has not held a license to~~  
24     ~~drive a motor vehicle within this state for the past year, under sub. (2) (a).~~

1       8. The applicant has not had a driving record that is satisfactory to the  
2 secretary, or, subject department, as specified by rule.

3       9. Subject to ss. 111.321, 111.322 and 111.335, the applicant has not been  
4 convicted of a felony and, or any other disqualifying offense as established by rule  
5 by the department, in this state, or in another jurisdiction, including a conviction  
6 under the law of a federally recognized American Indian tribe or band in this state,  
7 for an offense that if committed in this state would be a felony or disqualifying  
8 offense, unless the person so convicted has not been duly officially pardoned.

9       **SECTION 42.** 343.65 (2) of the statutes is renumbered 343.62 (4) (a) 6. and  
10 amended to read:

11       343.62 (4) (a) 6. ~~The secretary shall deny an application for the issuance or~~  
12 ~~renewal of an instructor's license if the applicant has not included~~ provides his or her  
13 social security number in the application, ~~unless the applicant is an individual who~~  
14 ~~does not have a social security number and submits a statement made or subscribed~~  
15 ~~under oath or affirmation as required under s. 343.62 (2) (a) or the statement~~  
16 specified in sub. (2) (am) as required under sub. (2).

17       **SECTION 43.** 343.66 (title) of the statutes is amended to read:

18       **343.66 (title) Revocation or, suspension, cancellation, or denial of**  
19 **renewal of driver school license licenses and instructor's licenses.**

20       **SECTION 44.** 343.66 of the statutes is renumbered 343.66 (1) and amended to  
21 read:

22       343.66 (1) The secretary department may suspend or, revoke, or cancel any  
23 driver school license issued under s. 343.61 or instructor's license issued under s.  
24 343.62, or, subject to ss. 343.61 and 343.62, refuse to issue a renewal thereof if renew

1 a driver school license or instructor's license if, during any period, any of the  
2 following applies:

3 (a) The licensee has made a material false statement or concealed a material  
4 fact in connection with the application for a license or the renewal thereof; of a  
5 license.

6 (b) Subject to ss. 111.321, 111.322 and 111.335, the licensee or any partner,  
7 member, manager or officer of the licensee has been convicted of a felony; or any  
8 other disqualifying offense as established by rule by the department, in this state,  
9 or in another jurisdiction, including a conviction under the law of a federally  
10 recognized American Indian tribe or band in this state, for an offense that if  
11 committed in this state would be a felony or disqualifying offense, unless the person  
12 so convicted has been officially pardoned.

13 (c) The licensee has failed to comply with any of the requirements of ss. 343.60  
14 to 343.72; or rules promulgated under those sections.

15 (d) The licensee or any partner, member, manager or officer of ~~such~~ the licensee  
16 has been guilty of fraud or fraudulent practices in relation to the business conducted  
17 under the license or in relation to securing for himself or herself or another a license  
18 to operate a motor vehicle, or guilty of inducing another person to resort to fraud or  
19 fraudulent practices in relation to securing for himself or herself or another the  
20 license to ~~drive~~ operate a motor vehicle;.

21 (e) Subject to ss. 111.321, 111.322 and 111.335, the licensee has knowingly  
22 employed, as an instructor, a person who ~~has been convicted of a felony or has~~  
23 ~~retained such a person in such employ after knowledge of his or her conviction; or~~  
24 does not meet the requirements under s. 343.62.

1 (f) The licensee has failed to maintain satisfactory insurance to meet damage  
2 ~~claims in the amounts specified by s. 343.64 (1) (g) as required by the department~~  
3 under s. 343.61 (3m) (a).

4 **SECTION 45.** 343.665 (title) of the statutes is repealed.

5 **SECTION 46.** 343.665 (1) of the statutes is renumbered 343.66 (2) and amended  
6 to read:

7 343.66 (2) The secretary shall deny, restrict, limit or suspend any driver school  
8 license issued under s. 343.61 or instructor's license issued under s. 343.62 or refuse  
9 ~~to issue a renewal for such~~ renew a driver school license or instructor's license if the  
10 applicant or licensee is an individual who is delinquent in making court-ordered  
11 payments of child or family support, maintenance, birth expenses, medical expenses  
12 or other expenses related to the support of a child or former spouse, or who fails to  
13 comply, after appropriate notice, with a subpoena or warrant issued by the  
14 department of workforce development or a county child support agency under s.  
15 59.53 (5) and related to paternity or child support proceedings, as provided in a  
16 memorandum of understanding entered into under s. 49.857.

17 **SECTION 47.** 343.665 (2) of the statutes is renumbered 343.66 (3) and amended  
18 to read:

19 343.66 (3) The secretary shall suspend or revoke a driver school license issued  
20 under s. 343.61 or an instructor's license issued under s. 343.62, if the department  
21 of revenue certifies under s. 73.0301 that the licensee is liable for delinquent taxes.  
22 A licensee whose driver school license or instructor's license is suspended or revoked  
23 under this subsection for delinquent taxes is entitled to a notice under s. 73.0301 (2)  
24 (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not entitled to any other notice  
25 or hearing under this subchapter.



1           **SECTION 48.** 343.67 of the statutes is repealed.

2           **SECTION 49.** 343.675 of the statutes is repealed.

3           **SECTION 50.** 343.68 of the statutes is repealed.

4           **SECTION 51.** 343.69 (title) of the statutes is amended to read:

5           **343.69 (title)   Hearings on license denials and, cancellations,**  
6           **restrictions, suspensions, and revocations, and progressive enforcement**  
7           **action.**

8           **SECTION 52.** 343.69 of the statutes is renumbered 343.69 (1) and amended to  
9           read:

10           343.69 (1) ~~Before~~ If the department denies an application for original issuance  
11           or renewal of a driver school license or instructor's license, or revokes, suspends,  
12           cancels, or restricts any such license, the department shall notify the applicant or  
13           licensee in writing of the pending action ~~and that the division of hearings and appeals~~  
14           ~~will hold a hearing on the pending denial or revocation. The division of hearings and~~  
15           ~~appeals shall send by sending~~ notice of the hearing action by registered or certified  
16           mail to the last-known address of the licensee or applicant, ~~at least 10 days prior to~~  
17           ~~the date of the hearing. Any person who is aggrieved by a decision of the department~~  
18           under this subsection may, within 10 days after the date of receiving notice of the  
19           department's action, request review of the action by the division of hearings and  
20           appeals in the department of administration under ch. 227. This section ~~subsection~~  
21           does not apply to denials, cancellations, restrictions, suspensions, or revocations of  
22           licenses under s. 343.665 ~~or 343.675~~ 343.66 (2) or (3).

23           **SECTION 53.** 343.69 (2) of the statutes is created to read:

24           343.69 (2) The department shall establish by rule a system of progressive  
25           enforcement action taken against licensees for violations of this subchapter or rules

1 promulgated under this subchapter. This system shall include a procedure for  
2 addressing consumer complaints and taking action against licensees when such  
3 complaints are found to be substantiated.

4 **SECTION 54.** 343.70 (title) of the statutes is repealed.

5 **SECTION 55.** 343.70 (1) of the statutes is renumbered 343.61 (3) (e) and  
6 amended to read:

7 343.61 (3) (e) If any driver school ~~or instructor's~~ license is lost, it shall be  
8 ~~reissued by the department upon application therefor accompanied by~~ shall issue a  
9 replacement upon receipt of a completed application, satisfactory proof of eligibility,  
10 satisfactory proof of loss, and a fee of \$1 established by the department by rule.

11 **SECTION 56.** 343.70 (2) of the statutes is renumbered 343.66 (4) and amended  
12 to read:

13 343.66 (4) If a driver school or instructor's license is ~~suspended or~~ revoked,  
14 canceled, or suspended, the licensee shall surrender all driver school and instructor  
15 licenses to the department and no portion of the any license fee shall be refunded.

16 **SECTION 57.** 343.71 (title) of the statutes is amended to read:

17 343.71 (title) **~~Driver schools to maintain school records, curriculum,~~**  
18 **and operations.**

19 **SECTION 58.** 343.71 (intro.) of the statutes is renumbered 343.71 (1m) (intro.)  
20 and amended to read:

21 343.71 (1m) (intro.) Every licensed driver school shall maintain all of the  
22 following records:

23 **SECTION 59.** 343.71 (1) of the statutes is repealed.

24 **SECTION 60.** 343.71 (2) of the statutes is renumbered 343.71 (1m) (a) and  
25 amended to read:

1           343.71 (1m) (a) A record showing the date, type, and duration of, and the name  
2           and address of each person receiving, all lessons, lectures, tutoring, instructions or  
3           other services relating to instructions in the operation of motor vehicles, and this  
4           record shall include the name of the instructor giving such lessons or instructions  
5           and identification of the vehicle in which any ~~road~~ driving skills lesson is given,  
6           ~~including type of transmission;~~

7           **SECTION 61.** 343.71 (3) of the statutes is renumbered 343.71 (1m) (b) and  
8           amended to read:

9           343.71 (1m) (b) A file containing a ~~duplicate~~ copy of every agreement entered  
10          into ~~between the school and every person given lessons, lectures, instructions or~~  
11          ~~other services relating to instructions in the operation of motor vehicles~~ required  
12          under this paragraph. No ~~person shall be given~~ driver school or instructor may  
13          provide lessons, lectures, tutoring or other services relating to instructions in the  
14          operation of motor vehicles ~~until~~ unless a written agreement in a form approved by  
15          the department has been executed by ~~both~~ the school and either the student if the  
16          student is at least 18 years of age or, if the student is under 18 years of age, the  
17          student's parent or legal guardian. The student ~~shall be given~~ driver school shall  
18          give the student, or the parent or guardian if the student is under 18 years of age,  
19          the original, ~~while the school agreement and~~ shall retain and preserve ~~the carbon a~~  
20          duplicate thereof copy of the agreement.

21          **SECTION 62.** 343.71 (5) of the statutes is created to read:

22          343.71 (5) A driver school shall notify the department of the name and address  
23          of each person who is under the age of 18 years at the commencement of a course in  
24          driver training and who fails to satisfactorily complete the course.

25          **SECTION 63.** 343.72 (1) of the statutes is amended to read:

1           343.72 (1) No licensee may agree to give refresher lessons, unless the student  
2 states that he or she has had previous ~~driving~~ experience operating a motor vehicle.

3           **SECTION 64.** 343.72 (2) of the statutes is renumbered 343.71 (2m) and amended  
4 to read:

5           343.71 (2m) No licensee shall may agree to give unlimited ~~driver's~~ driver  
6 lessons, nor represent or agree, orally or in writing or as a part of an inducement to  
7 sign any agreement, to give instructions until the student obtains an operator's  
8 license ~~is obtained~~.

9           **SECTION 65.** 343.72 (3) of the statutes is renumbered 343.71 (3m) and amended  
10 to read:

11           343.71 (3m) No agreement shall may contain a "no refund" clause, but may  
12 contain the following: "The school will not refund any tuition or part of tuition if the  
13 school is ready, willing and able to fulfill its part of the agreement".

14           **SECTION 66.** 343.72 (4) of the statutes is renumbered 343.71 (4).

15           **SECTION 67.** 343.72 (5) of the statutes is renumbered 343.61 (4) (b) and  
16 amended to read:

17           343.61 (4) (b) The licensee ~~shall have a specific place of business described~~  
18 location of each driver school office shall be identified in the license. ~~No~~ Except as  
19 provided by the department by rule, no licensee shall may establish its headquarters  
20 any driver school office within 1,500 feet of a department office where operator's  
21 licenses are issued, nor within 1,500 feet of any headquarters where official ~~road~~  
22 driving skills tests are given, and locations shall be filed with the department as part  
23 of the license application. Any change in address of any driver school office or driver  
24 school classroom must be reported to and approved by the department. A driver

1 school may maintain driver school classrooms at locations other than the driver  
2 school office.

3 **SECTION 68.** 343.72 (5m) of the statutes is created to read:

4 343.72 (5m) No driver school may represent that completion of a course of  
5 instruction will guarantee that the student will pass the driving skills test  
6 administered by the department. A driver school may only represent by means of a  
7 certificate of completion that the student has satisfactorily completed the required  
8 course.

9 **SECTION 69.** 343.72 (6) of the statutes is amended to read:

10 343.72 (6) All licensees must ascertain from state license examiners the route  
11 over which road tests are given, and no licensee may instruct in those areas, except  
12 that driver schools may operate on a division of motor vehicle skills test route if  
13 comparable training location opportunities are not otherwise available in the locale.

14 **SECTION 70.** 343.72 (7) of the statutes is amended to read:

15 343.72 (7) Licensees ~~shall~~ may not publish, advertise, or intimate create the  
16 impression that a license is guaranteed or assured. The display of a sign such as  
17 “License Secured Here” is forbidden.

18 **SECTION 71.** 343.72 (8) of the statutes is repealed.

19 **SECTION 72.** 343.72 (9) of the statutes is renumbered 343.61 (4) (c) and  
20 amended to read:

21 343.61 (4) (c) ~~Except as provided by sub. (8), the~~ The use of the word  
22 “Wisconsin”, or “State” ~~or the name of the city in which the school is located,~~ in any  
23 sign, firm name ~~or other medium of advertising~~ is prohibited.

24 **SECTION 73.** 343.72 (11) of the statutes is amended to read:

1           343.72 (11) All driver training ears vehicles must be registered with the  
2 department with a brief description of each, including the make, model, and  
3 registration number, and type of transmission shall be kept in safe working  
4 condition, as established by the department by rule. The department may  
5 promulgate rules authorizing the department to place any driver training vehicle out  
6 of service for a vehicle equipment violation or for failure to file with the department  
7 proof of insurance for the vehicle.

8           **SECTION 74.** 343.72 (12) of the statutes is amended to read:

9           343.72 (12) All driver training ears vehicles shall be equipped with approved  
10 dual controls so that the instructor can stop the ear vehicle promptly. The  
11 department may inspect these ears vehicles at its discretion. After initial inspection  
12 of any driver training vehicle by the department, a driver school may, as provided by  
13 rule, certify to the department the condition of any driver training vehicle of a model  
14 year not more than 3 years old.

15           **SECTION 75.** 343.73 of the statutes is amended to read:

16           **343.73 Penalty.** Any person who violates ss. 343.60 to 343.72 may be fin  
17 required to forfeit not less than \$25 \$100 nor more than \$100 or imprisoned not more  
18 than 30 days \$200 for each offense.

19           **SECTION 76. Initial applicability.**

20           (1) This act first applies to licenses issued or renewed, actions taken by the  
21 department of transportation against licenses, agreements entered into, and  
22 requests for review or hearing made, on the effective date of this subsection.

23           **SECTION 77. Effective date.**

1           (1) This act takes effect on the first day of the 4th month beginning after  
2       publication.

3 (END)

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB=0512/P4ins  
PJH:kjf:pg

422406

INSERT ANALYSIS:

Under current law, the Department of Transportation (DOT) licenses driver education schools. A driver education school is a school that gives, for compensation, instruction for driving a motor vehicle, except that a program that is offered as a course in a high school or technical college is not considered a driver education school under current law. This bill changes the standards for licensing, testing, and regulating driver education schools and driver education instructors.

The bill raises the license fee from \$75 to \$95 and extends the license period for driver schools from the end of the calendar year after issuance to up to 24 months after issuance. Under the bill, a driver school must provide DOT with proof of insurance, in an amount determined by DOT, in order to be licensed.

X The bill extends the license period for instructors from one year to up to 24 months, and adds the requirement that a driver education instructor be at least 19 years of age and have at least two years of licensed driving experience. If a person X who wishes to be an instructor, he or she must pass testing by the DOT under the bill, if a person fails two tests, the person must wait for at least one year before he or she may be tested again. The bill also requires DOT to test applicants for driver education instructors for communication and teaching skills.

X Under the bill, any driver education school may be authorized by DOT to provide knowledge tests for students under age of 18 and for instructors at the school. X The bill allows DOT to set rules for safety standards for training vehicles and provides DOT broader discretion in setting disqualifying offenses for driving driver education school directors.

X Under current law, a person who commits a violation of the driver education school standards may be fined not less than \$25 nor more than \$100 or imprisoned for not more than 30 days for each offense. This bill requires DOT to set a system of progressive enforcement action taken against licensees for violations, and states that a person who commits a violation of the driver education school or instructor standards may be fined not less than \$100 nor more than \$200 for each violation.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.



**Basford, Sarah**

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**From:** Hutkowski, Hariah  
**Sent:** Thursday, February 23, 2006 1:42 PM  
**To:** LRB.Legal  
**Cc:** Hurley, Peggy; Sen.Lazich; Beard, Paul  
**Subject:** Draft Review: LRB 05-0512/1 Topic: Definition of driving school

Please Jacket LRB 05-0512/1 for the ASSEMBLY.

ALSO, Release this draft to Sen. Lazich's office for them to Jacket too.

# Memo

To: Senator ☐

Representative ☒

**Petrowski**

(The Draft's Requester)

**Per your request: ... the attached fiscal estimate was prepared for your unIntroduced 2005 draft.**

LRB Number: LRB

**- 0512**

Version: **" / 1 "**

Fiscal Estimate Prepared By: (agency abbr.)

**SPD**

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: **02 / 27 / 2006**

**\* \* \* \* \***

**To: LRB - Legal Section PA's**

**Subject:** *Fiscal Estimate Received For An Unintroduced Draft*

> **If redrafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version.

> **If introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

> **If introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the draft's introduction number below and give to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2005

**AB-1078**

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Monday, February 27, 2006 9:03 AM  
**To:** Rep.Petrowski  
**Cc:** Hutkowski, Hariah  
**Subject:** LRB 05-0512/1 (un-introduced) (FE by SPD - attached - for your review)  
**Attachments:** FE\_Petrowski.PDF



FE\_Petrowski.PDF  
(265 KB)

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